

ORIGINAL

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION**

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2012 OCT -1 PM 4:47

CLERK C Adams  
SO. DIST. OF GA.

**William H. Carter**  
**Plaintiff**

**VS**

**NCO FINANCIAL SYSTEMS**  
**Defendant**

**Case No: CV 311-107**

**Judge Dudley H. Bowen Jr.**

## Trial by Jury Demanded

**SECOND AMENDED COMPLAINT FOR VIOLATIONS  
OF THE FCRA, FDCPA AND TCPA**

6. Venue is proper in the Southern District of Georgia.

### **GENERAL ALLEGATIONS**

7. Plaintiff obtained his consumer credit reports from the three major credit reporting agencies and found entries by entities that he was unfamiliar with in the reports.
8. Plaintiff determined that his consumer credit report had been obtained on various occasions by entities he did not recognize and without his consent.
9. Plaintiff found after examination of his TransUnion consumer credit report that Defendant, NCO had obtained his TransUnion consumer credit report in November of 2009.
10. Discovery of violation of the FCRA brought forth herein occurred in Oct. of 2011 and is within the statute of limitations as defined in FCRA, 15 U.S.C. § 1681p.
11. Plaintiff is in possession of a letter from First Premier Bank stating he does not have responsibility on any account with them (**See Exhibit A**). The letter was sent in response to a Demand for Validation sent to another company attempting to collect on the same nonexistent account NCO was claiming through correspondence gave them permissible purpose to obtain Plaintiff's credit report.
12. Plaintiff provided a copy of the letter from First Premier Bank to Defendant's counsel.
13. Plaintiff made multiple attempts to mitigate settlement before and after litigation.
14. As a result of Plaintiff's propounding discovery, Defendant responded with print outs of electronic records which constituted violations of the Telephone Consumer Protection Act. 47 U.S.C. § 227 *et al.* and the Fair Debt Collection Practices Act 15 U.S.C. § 1692d(5).

**COUNT I**

**VIOLATION OF THE FAIR CREDIT REPORTING ACT (FCRA), 15  
U.S.C. §1681 WILLFUL NON-COMPLIANCE BY DEFENDANT  
NCO FINANCIAL SYSTEMS**

15. Paragraphs 1 through 14 are realleged as though fully set forth herein.
16. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. § 1681a(c).
17. TransUnion is a credit reporting agency within the meaning of the FCRA, 15 U.S.C. § 1681a(f).
18. Consumer credit report is a consumer report within the meaning of the FCRA, 15 U.S.C. § 1681a(d).
19. The FCRA, 15 U.S.C. § 1681b defines the permissible purposes for which a person may obtain a consumer credit report.
20. Such permissible purposes as defined by 15 U.S.C. § 1681b are generally, if the consumer makes application for credit, makes application for employment, for underwriting of insurance involving the consumer, or is offered a bona fide offer of credit as a result of the inquiry.
21. Plaintiff has never had any business dealings or any accounts with, made application for credit from, made application for employment with, applied for insurance from, or received a bona fide offer of credit from the Defendant, NCO.
22. At no time did Plaintiff give his consent for Defendant NCO, to acquire his consumer credit report from any credit reporting agency.
23. On Oct. 28, 2011 Plaintiff sent Defendant NCO, a letter of intent to sue with a redacted page

showing the credit pull from his TransUnion credit report. Plaintiff offered to settle outside litigation for the statutory damage allowed pursuant to the FCRA.

24. On Nov. 2, 2011 Plaintiff was contacted via email by Michelle Lyon of SESSIONS, FISHMAN, NATHAN & ISRAEL LLC as counsel for Defendant, NCO claiming Defendant, NCO was unable to locate any account which could have afforded permissible purpose and requested Plaintiff's Social Security number. Plaintiff responded to the email stating he had never had any account with Defendant NCO and since he wished to have none, denied the request for his Social Security number as he had already provided the page from his TransUnion credit report clearly showing the credit pull.
25. Nov. 14, 2011 Ms. Lyon sent another email claiming Defendant, NCO had been "hired" to collect an account with FIRST PREMIER BANK.
26. In response to a Dispute Letter sent to another collection agency, Plaintiff received a letter dated Dec. 1, 2011 from FIRST PREMIER BANK stating he has no account with them.
27. In Nov. of 2009 Defendant, NCO obtained the TransUnion consumer credit report for the Plaintiff with no permissible purpose, in violation of FCRA, 15 U.S.C. § 1681b.
28. The action of Defendant, NCO obtaining the consumer credit report of the Plaintiff with no permissible purpose or Plaintiff's consent was a violation of FCRA, 15 U.S.C. § 1681b and an egregious violation of Plaintiff's right to privacy.

**WHEREFORE, Plaintiff demands judgment for damages against Defendant, NCO FINANCIAL SYSTEMS for statutory damages of \$1000.00, punitive damages to be determined by this honorable court, attorney's fees, and costs pursuant to 15 U.S.C. § 1681n.**

**COUNT II**

**VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT  
(FDCPA), 15 U.S.C. §1692**

29. Plaintiff repeats and re-alleges each and every allegation stated above
30. Plaintiff propounded production of documents on Defendant in June of 2012. The documents produced by Defendant to Plaintiff contained records of Numerous telephone calls made to Plaintiff's cell phone by Defendant. (**See Exhibit B**).
31. Upon close inspection of the call records provided by Defendant, Plaintiff determined that there were at least one hundred and five calls placed to the the Plaintiff's cell phone number, 478-689-6028 between November of 2009 and April of 2010. (**See Exhibit B**)
32. On thirty four of the days calls to Plaintiff's cell phone were made there were At least two and as many as four calls per day, harassing the Plaintiff and creating a violation of FDCPA 15 U.S.C. § 1692d(5). (**See Exhibit B**)

**WHEREFORE, Plaintiff demands judgment for damages against Defendant, NCO for statutory damages of \$1000.00 pursuant to FDCPA 15 U.S.C. § 1692k(a)(2)(A).**

**COUNT III**

**VIOLATION OF THE TELEPHONE CONSUMER PRACTICES ACT  
(TCPA), 47 U.S.C. § 227 WILLFUL NON-COMPLIANCE BY DEFENDANT  
NCO FINANCIAL SYSTEMS**

33. Plaintiff repeats and re-alleges each and every allegation stated above.
34. Documents provided by Defendant through discovery show documented evidence of at least one hundred and five calls placed by an automatic dialing system to Plaintiff's cell phone number without Plaintiff's express consent, **(See Exhibit B)**. Said numerous calls to Plaintiff were blatant and willful violations TCPA 47 U.S.C. § 227(b)(1)(A)(iii) when considering the extreme number of calls made to Plaintiff without his express consent.
35. Plaintiff has provided Defendant with proof in the form of a page from the Alltel phone billing for the account on that phone which clearly indicates it was a wireless phone.
36. The Alltel account for the wireless phone of the Plaintiff was in the name of Plaintiff's mother in law and included five wireless phones with separate numbers. **(See Exhibit C)**
37. Plaintiff has provided Defendant with proof of the fact that the cell phone with the number 478-689-6028 was his personal contact number. **(See Exhibits D, E, and F)**
38. Plaintiff does not have an established business relationship within the meaning of 47 U.S.C. § 227 with NCO and Plaintiff never gave NCO his express consent to call him at any time.
39. Plaintiff was aware there had been many harassing phone calls placed to his cell phone in the approximate time frame of November 2009 to April 2011 but was unaware said calls had been placed by NCO until the records of said calls were provided by Defendant during discovery.
40. There is no language within the TCPA 47 U.S.C. § 227 which would require Plaintiff's

cell phone account to be in his name and proof has been provided that said wireless phone number was at all times used only by the Plaintiff and no other person.

41. The TCPA provides a private right of action as stated in **TCPA 47 U.S.C. § 227, (b)(3)**

**(b)(3) PRIVATE RIGHT OF ACTION** – A person or entity may, if otherwise permitted by the laws or rules of court of a State, bring in an appropriate court of that State-

- (A)** an action based on a violation of this subsection or the regulations prescribed under subsection to enjoin such violation,
- (B)** an action to recover for actual monetary loss from such a violation, or to receive \$500 in damages for each such violation, whichever is greater, or
- (C)** both such actions. If the court finds that the defendant willfully or knowingly violated this subsection or the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the available under subparagraph (B) of this paragraph.


**WHEREFORE Plaintiff demands damages pursuant to 47 U.S.C. § 227(b)(3)(A)(B)(C) in the amount of \$500.00 for the first call and \$1,500.00 per call for each and every successive call thereafter as knowing and or willful violations of the TCPA.**

**DEMAND FOR TRIAL BY JURY**

**Plaintiff hereby demands a trial by jury of all issues so triable as a matter of law.**

**Dated: August 13, 2012**

**Respectfully Submitted,**

A handwritten signature in black ink, appearing to read "William H. Carter", is written over a horizontal line.

**William H. Carter  
311 Bethel Street  
Eastman, Georgia 31023**



# EXHIBIT

# A

**CENTENNIAL®**

First PREMIER® Bank  
P.O. Box 5524  
3820 N. Louise Ave.  
Sioux Falls, SD 57117-5524

December 1, 2011

**WILLIAM H CARTER  
322 BETHEL ST  
EASTMAN GA 31023**

Dear WILLIAM H CARTER :

This letter is regarding your recent request for information on the First PREMIER Bank credit card account ending in 1656.

We have completed our investigation and have determined you are not responsible for the disputed account. We have sent information to the four major consumer reporting agencies to remove the account from your consumer file. Please allow 60 to 90 days for the update to reflect on your consumer report. We apologize for any inconvenience this may have caused.

Unfortunately, we are unable to release the account information you are requesting at this time. In cases involving identity theft, the Fair Credit Reporting Act provides an alternative method by which you may be able to obtain some of the requested documents. First PREMIER Bank is required by 15 U.S.C. §1681g(e) to provide application and statement copies, if available, to the victim of identity theft or to a law enforcement agency at the request of the victim. Under 15 U.S.C. §1681g(e), the following information must be forwarded to us before we can comply with such a request:

1. A written request from the victim of identity theft requesting any available application/statement copies be provided to the law enforcement agency or to themselves; and
2. A copy of the police report evidencing the claim of the victim of identity theft or a properly completed copy of the standard affidavit of identity theft made available by the Federal Trade Commission (available at: [www.ftc.gov](http://www.ftc.gov)); and
3. A copy of one of the following approved government identification items issued to you such as a state issued driver's license. Other acceptable forms of verification include a copy of a paystub, W2 form, a letter from the Social Security Administration office on their letterhead that has been signed and dated by an authorized representative, a signed and dated letter from your employer on company letterhead, or a copy of your birth certificate; and
4. Any relevant information related to the transaction alleged to be a result of identity theft, such as the date of application or credit card account number.

Once we are in receipt of these documents, we are able to fulfill your request.

Questions can be directed to the Customer Service Department at 1-800-987-5521. Business hours are Monday-Friday 7:00 a.m. to 9:00 p.m. and Saturday 8:00 a.m. to 4:30 p.m. Central Time.

Sincerely,

M. Wilson  
Customer Service Department  
First PREMIER Bank  
jgh

9  
SC225  
0043299576-8208

# EXHIBIT B

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## F A C T S H E E T

CRS #: AJ0893  
 Name: CARTER, WILLIAM H  
 Address: 311 BETHEL ST  
 City/State: EASTMAN, GA 31023-6233  
 Home Phone: (000) 000-0000  
 Work Phone: ( )  
 Soc Sec No:  
 Employer:

Client #: GENFPB-B  
 FIRST PREMIER BANK  
 Acct #: 1656  
 Regarding: First PREMIER Bank  
 Amt Referred: 414.13  
 Current Bal: 414.13  
 Comm Rate: 45.000%  
 Costs: 0.00  
 Ck Chg/Fee: 0.00  
 Other 0.00  
 Interest Rate: 0.000%  
 Interest Amt: 0.00  
 Date Received: 11/10/09  
 \*\*\*\*\* RETURNED \*\*\*\*\*

Status: 82 FDCPA NO CONTACT  
 Coll Unit: 666 LEGAL REST  
 Date Last: 10/30/07  
 Activity Code: QQ RETURN TO CLIENT

Spouse Name Last: First:  
 SS# 000-00-0000  
 Emp (000) 000-0000

Co Maker Last: First:  
 SS# 000-00-0000  
 Home (000) 000-0000  
 Emp (000) 000-0000

Prev Citi# Last: First:  
 REH AGR DT 00/00/00  
 1st PMT DT 00/00/00  
 REH AGR TYPE

+ [KCYCLE AMT 0.00

Phone Nbr	Name/Address	Zip	Type/Status	Source/When	Cf/I C
( )	CARTER, WILLIAM H		N-Debtor	J-Master	UNKN
	5607 COTTONDALE AVE	31023	F-Previous	11/10/09	UNKN Unk
(478) 220-4053	CARTER, WILLIAM H		N-Debtor	I-Lex/Nexis	LOW
			0-New	11/10/09	LAND Unk
(770) 233-9349	CARTER, WILLIAM H		N-Debtor	I-Lex/Nexis	MEDI
			0-New	11/10/09	LAND Unk
(770) 233-9598	CARTER, WILLIAM H		N-Debtor	I-Lex/Nexis	MEDI
			0-New	11/10/09	LAND Unk
(770) 233-0856	CARTER, WILLIAM H		N-Debtor	I-Lex/Nexis	MEDI
			0-New	11/10/09	LAND Unk
(478) 689-0593	CARTER, WILLIAM H		N-Debtor	I-Lex/Nexis	LOW
			0-New	11/10/09	CELL Man
(478) 231-0016	WHITEHEAD, DWAYNE		H-Associate	I-Lex/Nexis	UNKN
	PO BOX 4923	31023	0-New	11/10/09	UNKN Unk
(478) 220-4444	SANFORD, LANEDA		H-Associate	I-Lex/Nexis	UNKN
		31023	0-New	11/10/09	UNKN Unk
(678) 516-7331	HALL		6-Relative	I-Lex/Nexis	UNKN
	1514 SHERIDAN RD NE AP	30324	0-New	11/10/09	UNKN Unk
(770) 567-0058	LAIDLER, VIOLET		6-Relative	I-Lex/Nexis	UNKN
	225 JACKSON ST APT 17	30295	0-New	11/10/09	UNKN Unk

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AJO893 CARTER, WILLIAM H

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Phone Nbr	Name/Address	Zip	Type/Status	Source/when	Cf/I	C
(770) 946-4365	PIRKLE		6-Relative	I-Lex/Nexis	UNKN	
	348 STEELE DR	30228	0-New	11/10/09	UNKN	Unk
(256) 775-7814	PARTEE, SANDRA		6-Relative	I-Lex/Nexis	UNKN	
	3980 COUNTY ROAD 1212	35179	0-New	11/10/09	UNKN	Unk
(478) 374-8299	WHITEHEAD, PATRICIA		6-Relative	I-Lex/Nexis	UNKN	
	5727 6TH AVE	31023	0-New	11/10/09	UNKN	Unk
(478) 374-6200	WHITEHEAD, WAYNE		6-Relative	I-Lex/Nexis	UNKN	
	PO BOX 4923	31023	0-New	11/10/09	UNKN	Unk
(478) 553-9136			N-Debtor	4-T/U	HIGH	
			0-New	11/15/09	UNKN	Unk
(478) 689-6028	CARTER, WILLIAM H		N-Debtor	J-Master	UNKN	
	311 BETHEL ST	31023	6-Cease Calls	11/01/11	UNKN	Unk

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				11/10/09	17:12	CC/CC		LXN
							CSZ-EASTMAN GA 310235237	
				11/10/09	17:12	IR/GI		LXN
							NB SKP - SHP ADD ASC REL	
				11/15/09	10:40	CC/CC	SCORE-002	SYS
				11/15/09	10:40	CC/CC		SYS
							DEBTOR CREDIT BUREAU DATA ON O SCREE	
							N	
				11/16/09	10:35	AG/IR		I4L
							DEBTOR FORWARDED TO AGENCY	
				11/16/09	10:35	TA/	PL1	SYS
				11/17/09	02:14	AG/IR		SYS
							NEW PLMT - BALANCE UPDATE SENT	
				11/17/09	10:16	CC/CC	COLL UNIT NC1	NEE
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							MO.NA 4786896028 LV NO ANSWER	
				11/21/09	05:32	MN/NA	112009 1909	VOX
							MO.NA 4786896028 LV NO ANSWER	
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							MO.NA 4786896028 LV NO ANSWER	
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							MO.NA 4786896028 LV NO ANSWER	
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							MO.NA 4786896028 LV NO ANSWER	
				11/24/09	10:22	VR/NA	112309 1459	VOX
							IH.NA 4786896028 LV NO ANSWER	
				11/25/09	05:32	MN/NA	112409 1251	VOX
							MO.NA 4786896028 LV NO ANSWER	
				11/26/09	04:25	VR/NA	112509 1330	VOX

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AJO893 CARTER, WILLIAM H

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				4786896028	XMMAIN94			
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 12/19/09 16:01 MH/DL 121909 1015 ASP  
 AH.DL 4786896028  
 12/21/09 04:52 MN/NA 122009 1711 VOX

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01/16/10	06:04	TG/TA				TRIGGER SENT	TRG
01/16/10	19:51	MN/NA		011610	1157		VOX
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				MO.NA	4786896028	LV	NO ANSWER

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 MO.NA 4786896028 LV NO ANSWER  
 01/20/10 10:26 MH/AM T3  
 4786896028 XMMAIN94  
 01/21/10 20:02 VR/NA 012110 1407 VOX  
 IH.NA 4786896028 LV NO ANSWER

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PAYMENTS				TRANSACTIONS				ID
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				01/23/10	19:50	MN/NA	012310 1002	VOX
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				01/28/10	20:35	MN/NA	012810 1235	VOX
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				AH.DL	4786896028			
				02/04/10	10:02	MH/AM		T3
				4786896028 XMMAIN94				
				02/05/10	17:10	MN/NA	020510 0844	VOX
				MO.NA	4786896028	LV	NO ANSWER	
				02/06/10	04:00	MN/NA	020510 1911	VOX
				MO.NA	4786896028	LV	NO ANSWER	
				02/06/10	16:41	MN/NA	020610 0905	VOX
				MO.NA	4786896028	LV	NO ANSWER	
				02/06/10	18:41	MN/NA	020610 1624	VOX
				MO.NA	4786896028	LV	NO ANSWER	
				02/08/10	20:43	MN/NA	020810 1005	VOX
				MO.NA	4786896028	LV	NO ANSWER	
				02/09/10	08:20	MN/NA	020810 2004	VOX
				MO.NA	4786896028	LV	NO ANSWER	
				02/09/10	10:41	CC/CC		SYS
				AUX2 POS 3-PREMIER BANKCARD, LLC				
				02/10/10	04:00	VR/NA	020910 1520	VOX
				IH.NA	4786896028	LV	NO ANSWER	
				02/11/10	20:58	VR/NA	021110 1307	VOX
				IH.NA	4786896028	LV	NO ANSWER	
				02/13/10	05:20	VR/NA	021210 1316	VOX
				IH.NA	4786896028	LV	NO ANSWER	
				02/13/10	15:43	MN/NA	021310 1041	VOX
				MO.NA	4786896028	LV	NO ANSWER	

Page 5



707806  
 02/13/10 17:45 MN/NA 021310 1452 VOX  
 MO.NA 4786896028 LV NO ANSWER  
 02/16/10 04:24 VR/NA 021510 1308 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 02/16/10 17:47 VR/NA 021610 1159 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 02/16/10 18:53 VR/NA 021610 1534 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 02/17/10 16:38 VR/NA 021710 1144 VOX

AJ0893 CARTER, WILLIAM H

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-----PAYMENTS-----				-----TRANSACTIONS-----			
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT----- ID
				IH.NA	4786896028	LV	NO ANSWER
02/18/10				15:44	MN/NA	021810	0904 VOX
				MO.NA	4786896028	LV	NO ANSWER
02/18/10				18:52	MN/NA	021810	1544 VOX
				MO.NA	4786896028	LV	NO ANSWER
02/20/10				04:00	VR/NA	021910	1602 VOX
				IH.NA	4786896028	LV	NO ANSWER
02/20/10				18:36	MN/NA	022010	1449 VOX
				MO.NA	4786896028	LV	NO ANSWER
02/22/10				20:54	VR/NA	022210	1242 VOX
				IH.NA	4786896028	LV	NO ANSWER
02/24/10				07:18	MH/DL	022310	1314 ASP
				AH.DL	4786896028		
02/25/10				10:38	VR/NA	022410	1432 VOX
				IH.NA	4786896028	LV	NO ANSWER
02/26/10				09:48	VR/NA	022510	1743 VOX
				IH.NA	4786896028	LV	NO ANSWER
02/27/10				05:23	VR/NA	022610	1411 VOX
				IH.NA	4786896028	LV	NO ANSWER
02/27/10				20:03	VR/NA	022710	1019 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/02/10				04:22	VR/NA	030110	1309 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/02/10				16:15	VR/NA	030210	1005 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/02/10				16:52	VR/NA	030210	1414 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/03/10				09:17	VR/NA	030210	1844 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/03/10				16:43	VR/NA	030310	1249 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/04/10				07:34	VR/NA	030310	1818 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/04/10				17:41	MH/DL	030410	0828 ASP
				AH.DL	4786896028		
03/05/10				19:31	VR/NA	030510	1108 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/06/10				06:09	VR/NA	030510	2005 VOX
				IH.NA	4786896028	LV	NO ANSWER
03/06/10				16:04	MN/NA	030610	0917 VOX
				MO.NA	4786896028	LV	NO ANSWER
03/06/10				17:40	MN/NA	030610	1443 VOX

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707806  
 MO.NA 4786896028 LV NO ANSWER  
 03/09/10 05:38 VR/NA 030810 1208 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 03/09/10 11:50 VR/NA 030810 2004 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 03/10/10 04:00 VR/NA 030910 1343 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 03/10/10 20:57 VR/NA 031010 1644 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 03/12/10 10:18 VR/NA 031110 1428 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 03/12/10 13:42 VR/NA 031110 2015 VOX

AJ0893 CARTER, WILLIAM H

Page 7

PAYMENTS				TRANSACTIONS				
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	COMMENT	ID
				IH.NA	4786896028	LV	NO ANSWER	
03/12/10				20:41	VR/NA	031210	1021	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/13/10				17:49	VR/NA	031310	0951	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/16/10				09:59	VR/NA	031510	1340	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/16/10				15:32	MN/NA	031610	0952	VOX
				MO.NA	4786896028	LV	NO ANSWER	
03/17/10				07:50	MN/NA	031610	1730	VOX
				MO.NA	4786896028	LV	NO ANSWER	
03/17/10				19:13	MH/DL	031710	0854	ASP
				AH.DL	4786896028			
03/19/10				08:36	VR/NA	031810	1531	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/20/10				05:07	VR/NA	031910	1525	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/20/10				15:38	MN/NA	032010	1123	VOX
				MO.NA	4786896028	LV	NO ANSWER	
03/20/10				17:47	MN/NA	032010	1434	VOX
				MO.NA	4786896028	LV	NO ANSWER	
03/20/10				18:49	MN/NA	032010	1615	VOX
				MO.NA	4786896028	LV	NO ANSWER	
03/22/10				16:57	MH/DL	032210	0853	ASP
				AH.DL	4786896028			
03/24/10				04:00	VR/NA	032310	1435	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/24/10				17:52	MN/NA	032410	1247	VOX
				MO.NA	4786896028	LV	NO ANSWER	
03/25/10				12:43	MN/NA	032410	1956	VOX
				MO.NA	4786896028	LV	NO ANSWER	
03/26/10				07:00	VR/NA	032510	1508	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/27/10				20:00	VR/NA	032710	1333	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/31/10				04:00	VR/NA	033010	1438	VOX
				IH.NA	4786896028	LV	NO ANSWER	
03/31/10				18:01	MH/DL	033110	1204	ASP
				AH.DL	4786896028			

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707806  
 04/01/10 20:53 VR/NA 040110 1506 VOX  
 IH.NA 4786896028 LV NO ANSWER  
 04/03/10 18:37 MN/NA 040310 1325 VOX  
 MO.NA 4786896028 LV NO ANSWER  
 04/04/10 20:40 AJ/IR C105 SYS  
 20100404 CLOSE - EFFORTS EXHAUSTED  
 04/04/10 20:40 AG/IR VR5  
 DEBTOR RECALLED FROM AGENCY - NC1  
 04/04/10 20:40 CC/CC COLL UNIT V81 SYS  
 04/04/10 20:40 CC/CO SYS  
 1656 ACT CODE 0  
 04/06/10 11:33 AG/IR I4L  
 DEBTOR FORWARDED TO AGENCY  
 04/06/10 11:33 CS/10 I4L  
 04/06/10 11:33 TA/ PL2 SYS

AJO893 CARTER, WILLIAM H

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-----PAYMENTS-----				-----TRANSACTIONS-----			
--Date--	Amount	Code	Rate	--DATE--	TIME	AC/RC	-----COMMENT----- ID
				04/07/10	02:23	AG/IR	SYS
				NEW PLMT - BALANCE UPDATE SENT			
				04/07/10	06:01	TG/TO	TRIGGER REMOVED TRI
				04/09/10	05:03	AJ/IR	S101 SYS
				20100407 ACKNOWLEDGMENT			
				04/09/10	23:00	AJ/IR	W113 SYS
				20100408 MISC. DEBTOR LETTER			
				05/13/10	22:33	AJ/IR	S123 SYS
				20100512 SKIP SEARCH - BAD ADDRESS			
				05/13/10	22:33	AJ/IR	W120 SYS
				20100512 TELEPHONE DEMAND RESIDENCE			
				05/13/10	22:35	AJ/IR	S123 SYS
				20100512 SKIP SEARCH - BAD ADDRESS			
				05/13/10	22:35	AJ/IR	W120 SYS
				20100512 TELEPHONE DEMAND RESIDENCE			
				05/17/10	21:39	AJ/IR	S124 SYS
				20100514 SKIP TRACE			
				11/23/10	19:12	CC/CC	SYS
				RETURN GENFPB8- 1656			
				11/23/10	19:12	CC/CC	SYS
				ACTIVITY AD - CBR12672538			
				11/24/10	07:41	CC/CC	SYS
				ACTIVITY RA - CBR12672538			
				11/24/10	07:41	CC/CC	SYS
				RETURN DATE 11-23-10 - CBR12672538			
				11/24/10	12:49	CC/CO	SYS
				RECALLED DATE HAS BEEN SET			
				MASTER FORWARDED FLAG REMOVED			
				FORWARD FLAG WAS F NOW R			
				11/24/10	12:49	AG/LR	C100 SN2 SYS
				11/25/10	02:40	CC/CC	SYS
				RECALL SENT TO SN2 FOR C100			
				03/15/11	11:26	SO/CC	SYS
				SOL DATE 00-00-00 - CBR12672538			
				08/03/11	23:22	CC/CC	SYS
				AUX2 POS 2 - PREMIER BANKCARD, LLC			

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# EXHIBIT C



Page 3 of 40  
 BILL DATE September 14, 2005  
 ACCOUNT NUMBER 2190931812-690

### Account Summary

Previous Charges	
Previous Balance as of 09/14/05	\$183.18
Payments and Adjustments	
Thank you for your payment - 09/09/05	\$183.18 CR
Total Payments and Adjustments	\$183.18 CR
<b>Balance Forward</b>	<b>\$ .00</b>
Current Charges for all Subscribers	
Monthly Service Charges	\$166.93
Other Charges and Credits	\$10.32
Taxes	\$13.64
Airtime & Directory Assistance Charges	\$29.85
<b>Total Charges for all Subscribers</b>	<b>\$210.74</b>
<b>TOTAL BALANCE DUE</b>	<b>\$210.74</b>

### Current Charges for All Subscribers

	Local Airtime Used	Monthly Service Charges	Other Charges & Credits	Taxes	Access Charges	Touch2Talk Usage Charges	Airtime & Dir. Assist Charges	Long Distance Charges	Roaming Charges	Total
WIRELESS (478)689-0484	1887.0	\$20.98	\$1.69	\$1.56	\$0.00	\$0.00	\$13.85	\$0.00	\$0.00	\$38.28
WIRELESS (478)689-0566	2082.0	\$20.98	\$1.62	\$1.28	\$0.00	\$0.00	\$4.75	\$0.00	\$0.00	\$28.63
WIRELESS (478)689-5645	1481.0	\$84.99	\$3.57	\$8.24	\$0.00	\$0.00	\$1.75	\$0.00	\$0.00	\$98.55
WIRELESS (478)689-6028	1423.0	\$14.99	\$1.69	\$1.36	\$0.00	\$0.00	\$7.20	\$0.00	\$0.00	\$25.24
WIRELESS (478)689-6205	1850.0	\$14.99	\$1.55	\$1.20	\$0.00	\$0.00	\$2.30	\$0.00	\$0.00	\$20.04

# EXHIBIT D



ANANDA CARTER  
3607 COTTONDALE AVE  
EASTMAN, GA 31043  
4781 588-5205  
4781 588-5078

ORKIN, INC.  
DRAIN - DUBLIN, GA  
3861 US HIGHWAY 441  
DUBLIN, GA 31021  
4781 272-2885  
FUD: 502  
Three Bell, EAST, GE

DATE:  
KEY ACCT:  
ROUTE: 4 STORE#: 1  
FREQ: Monthly  
P.O. #:  
TECH: WILLIAM BRIDELAND

Date \_\_\_\_\_  
Time In \_\_\_\_\_  
Time Out \_\_\_\_\_

The type of service performed today was:

☐ Initial ☐ Scheduled ☐ No Charge ☐ Special

Details of this service are listed below.

Follow Up Service Date \_\_\_\_\_

Findings		Treatment				
<input type="checkbox"/> No activity detected. Performed preventive treatment for target pest(s). <input type="checkbox"/> Ants <input type="checkbox"/> American Roaches <input type="checkbox"/> Carpenter Ants <input type="checkbox"/> Brown Banded Roaches <input type="checkbox"/> Fire Ants <input type="checkbox"/> German Roaches <input type="checkbox"/> Pharaoh Ants <input type="checkbox"/> Oriental Roaches <input type="checkbox"/> Mice <input type="checkbox"/> Smokey Brown Roaches <input type="checkbox"/> Rats <input type="checkbox"/> Crickets <input type="checkbox"/> Flies <input type="checkbox"/> Spiders <input type="checkbox"/> Fleas <input type="checkbox"/> Stored Product Pests <input type="checkbox"/> Other _____		Orkin takes care to place treatment materials where they will achieve maximum effectiveness. For codes see other side.				
		Products	Quantity	Sites	Method	Eq
<input type="checkbox"/> Activity detected. Treatment applied for the following: <input type="checkbox"/> Ants <input type="checkbox"/> American Roaches <input type="checkbox"/> Carpenter Ants <input type="checkbox"/> Brown Banded Roaches <input type="checkbox"/> Fire Ants <input type="checkbox"/> German Roaches <input type="checkbox"/> Pharaoh Ants <input type="checkbox"/> Oriental Roaches <input type="checkbox"/> Mice <input type="checkbox"/> Smokey Brown Roaches <input type="checkbox"/> Rats <input type="checkbox"/> Crickets <input type="checkbox"/> Flies <input type="checkbox"/> Spiders <input type="checkbox"/> Fleas <input type="checkbox"/> Stored Product Pests <input type="checkbox"/> Other _____		Please follow checked instructions: <input type="checkbox"/> Do not touch treated areas until dry <input type="checkbox"/> Do not tamper with rodenticide placements <input type="checkbox"/> Do not return to room until ventilated (2 hrs. minimum)				

Oak St (May 22 '07) two Cochran E on 9th ave L on Linton

FOR ADDITIONAL INFORMATION, A COPY OF THE LABEL AND/OR MSDS MAY BE REQUESTED FROM YOUR LOCAL BRANCH.  
888149 Rev. 1/06

# **EXHIBIT**

# **E**



Customer Copy

Date: 4/10/2008 04:27 PM  
 Estimate ID: 11-6064-08001  
 Estimate Version: 1  
 Supplement: 1 (P) 4/10/2008 03:40:48 PM  
 Preliminary  
 Profile ID: State Farm

**Coleman's Paint & Body Shop**

5305 Ninth Avenue, Eastman, GA 31023  
 (478) 374-7573  
 Fax: (478) 374-7998

Damage Assessed By: Mike Coleman  
 Supplemented By: Mike Coleman

Type of Loss: Comprehensive  
 Date of Loss: 3/16/2008  
 Deductible: NONE  
 Route VIR: N  
 Claim Number: 11-6064-08001

Arrival Date: 3/31/2008

Insured: WILLIAM CARTER  
 Owner: WILLIAM CARTER  
 Address: 601 KELLAM RD, DUBLIN, GA 31021-3337  
 Telephone: Home Phone: (478) 689-6028

Mitchell Service: 915484

Description: 2001 Chevrolet Astro LS  
 Body Style: VanPassExt 111" WB  
 VIN: 1GN0M19W81B143553  
 Mileage: 225,842  
 Color: WHITE  
 Options: ALUM/ALLOY WHEELS, AIR CONDITIONING, POWER STEERING, POWER BRAKES, POWER WINDOWS, POWER DOOR LOCKS, TILT STEERING WHEEL, CRUISE CONTROL, DUAL A/C, AUTOMATIC TRANSMISSION, LUGGAGE RACK, AM-FM STEREO/CDPLAYER(SINGLE), REAR GATE WIPER, PASSENGER-FRONT AIR BAG, POWER REMOTE MIRROR, V6 ENGINE, 4-DOOR AM-FM STEREO, VAN, OVERHEAD CONSOLE, DRIVER-FRONT AIR BAG

Vehicle Production Date: 4/01  
 Drive Train: 4.3L Inj 6 Cyl 2WD  
 License: ALE0316 GA

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
<b>FRONT BUMPER</b>							
1	500441	BDY	REMOVE/INSTALL	FRT BUMPER ASSY			INC #
2		BDY	OVERHAUL	FRT BUMPER COVER ASSY			1.1 #
3	500444	BDY	REMOVE/REPLACE	FRT BUMPER COVER	12382996 GM PART	186.85	INC #
4		REF	REFINISH	FRT BUMPER COVER			C 2.1
5				USED PARTS ARE NOT AVAILABLE			
<b>GRILLE</b>							
6	500459	BDY	REMOVE/REPLACE	GRILLE	19130758 GM PART	333.90	0.2
517	534263	BDY	REMOVE/REPLACE	GRILLE ADHESIVE EMBLEM	88934655 GM PART	26.30	0.1
<b>FRONT LAMPS</b>							
8	500468	BDY	REMOVE/REPLACE	L HLAMP CAPSULE ASSY	16524091 GM PART	97.33	0.2 #
9		BDY	CHECK/ADJUST	HEADLAMPS			0.4
10	500480	BDY	REMOVE/REPLACE	L HLAMP MOUNTING PANEL	16518493 GM PART	65.21 *	INC #
<b>MANUAL ENTRIES</b>							
11	900500	BDY *	REMOVE/REPLACE	CAR COVER	New	5.00 *	0.0 *
<b>ADDITIONAL COSTS &amp; MATERIALS</b>							
12	936000		ADD'L COST	FREON & OIL		55.00 *	
13	938003		ADD'L COST	COOLANT		15.00 *	
<b>FRONT LAMPS</b>							
14	500482	BDY	REMOVE/REPLACE	L PARK/SIGNAL/MARKER LAMP ASSEMBLY	16523211 GM PART	58.88	INC #
15	500500	BDY	REMOVE/REPLACE	L MARKER LAMP ASSEMBLY	16524075 GM PART	27.61	INC #

This estimate has been re-calculated with a modified profile.

ESTIMATE RECALL NUMBER: 04/01/2008 16:31:51 11-6064-08001

Mitchell Data Version: MAR\_08\_A  
 UltraMate Version: 6.0.029

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# EXHIBIT F

Date: 3/27/2008 11:31 AM  
 Estimate ID: 11-6064-08001  
 Estimate Version: 0  
 Committed  
 Profile ID: Mitchell

Coleman's Paint & Body Shop  
 5305 Ninth Avenue Eastman, GA 31023  
 (478) 374-7673  
 Fax: (478) 374-7998

Damage Assessed By: Mike Coleman

Type of Loss: Comprehensive  
 Date of Loss: 3/18/2008  
 Deductible: NONE  
 Claim Paid: N  
 Claim Number: 11-6064-08001

Arrival Date: 3/31/2008

Insured: WILLIAM CARTER  
 Owner: WILLIAM CARTER  
 Address: 601 KELLAN RD, DUBLIN, GA 31021-3337  
 Telephone: Home Phone: (478) 689-6028

Mitchell Service: 915484

Description: 2001 Chevrolet Astro LS Vehicle Production Date: 4/01  
 Body Style: VanPassExt 111" WB Drive Train: 4.3L Inj 6 Cyl 2WD  
 VIN: 1GNDM19W81B143553 License: ALE0316 GA  
 Mileage: 225,842 Search Code: None  
 OEM/ALT: 0  
 Color: WHITE  
 Options: ALUM/ALLOY WHEELS, AIR CONDITIONING, POWER STEERING, POWER BRAKES, POWER WINDOWS, POWER DOOR LOCKS,  
 TILT STEERING WHEEL, CRUISE CONTROL, DUAL A/C, AUTOMATIC TRANSMISSION, LUGGAGE RACK,  
 AM-FM STEREO/CDPLAYER(SINGLE), REAR GATE WIPER, PASSENGER-FRONT AIR BAG, POWER REMOTE MIRROR, V6 ENGINE,  
 4-DOOR, AM-FM STEREO, VAN, OVERHEAD CONSOLE, DRIVER-FRONT AIR BAG

Line Entry	Labor		Line Item	Part Type/	Dollar	Labor
Item Number	Type	Operation	Description	Part Number	Amount	Units
			FRONT BUMPER			
1	500441 BDY	REMOVE/INSTALL	FRT BUMPER ASSY			INC
2	BDY	OVERHAUL	FRT BUMPER COVER ASSY			1.1
3	500444 BDY	REMOVE/REPLACE	FRT BUMPER COVER	12382996 GM PART	186.85	INC
4	REF	REFINISH	FRT BUMPER COVER			C 2.1
5			USED PARTS ARE NOT AVAILABLE			
			GRILLE			
6	500459 BDY	REMOVE/REPLACE	GRILLE	19130758 GM PART	333.90	0.2
			FRONT LAMPS			
7	500468 BDY	REMOVE/REPLACE	L H/LAMP CAPSULE ASSY	16524091 GM PART	97.33	0.2
8	BDY	CHECK/ADJUST	HEADLAMPS			0.4
9	500480 BDY	REMOVE/REPLACE	L H/LAMP MOUNTING PANEL	16518493 GM PART	65.21*	INC
			MANUAL ENTRIES			
10	900500 BDY*	REMOVE/REPLACE	CAR COVER	New	5.00*	0.0 *
			ADDITIONAL COSTS & MATERIALS			

ESTIMATE RECALL NUMBER: 4/1/2008 16:31:51 11-6064-08001

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 UltraMate Version: 6.0.029  
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**CERTIFICATE OF SERVICE**

This is to certify that I have mailed copies of the above document by first class mail  
USPS to all parties listed below.

**Dated:**

**Respectfully Submitted,**

A handwritten signature in black ink, appearing to read "Will. H. Carter", is written over a horizontal line.

**William H. Carter  
311 Bethel Street  
Eastman, Georgia 31023**

**NCO FINANCIAL SYSTEMS  
C/O Glenn E. Jones  
Hall, Booth, Smith & Slover, P.C.  
3528 Darien Highway, Suite 300  
Brunswick, Georgia 31525  
(912) 554-0093**